

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CAPTAIN NANCY S. DIETZ,**

**Plaintiff,**

**V.**

**MAYOR JAMES M BAKER,**  
**individually and in his official capacity**  
**as the Mayor of the City of Wilmington,**  
**and the CITY OF WILMINGTON, a**  
**municipal corporation,**

## Defendants.

**C.A.No.06-256-SLR**

**UNSWORN DECLARATION OF NANCY S. DIETZ  
UNDER 28 U.S.C. § 1746**

I, Nancy S. Dietz, hereby depose and state as follows:

1. I have personal knowledge of the facts contained in this declaration and, if called as a witness, I am competent to testify as to those facts.

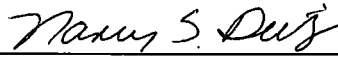
2. As the Director of Personnel in the Wilmington Police Department (“WPD”), I have learned that Gilbert Howell is retiring from the WPD. His final date of employment was July 31, 2007.

3. Due to Howell's retirement, there is now a vacant Uniformed Operations Inspector position. The WPD is now actively seeking to fill this position quickly.

4. Prior to his retirement, Howell had a chronic absenteeism problem. As a result, other captains, including myself, had to pick up the slack for the Uniformed Operations Inspector, such as attend various meetings in place of him.

5. Additionally, after Howell first took office, paperwork began piling up since he was

chronically absent. It finally got so bad that Capt. Bobby Cummings took the responsibility of signing off on paperwork so that requests were put through. Eventually, people simply stopped sending Howell paperwork because they knew it would sit on his desk and not be addressed in a timely fashion.

  
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**Nancy S. Dietz**

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 1, 2007.

DIETZ / Pleadings /Dietz Declaration

**CERTIFICATE OF SERVICE**

I, Thomas S. Neuberger, being a member of the bar of this Court do hereby certify that on August 1, 2007, I electronically filed this **Declaration** with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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/s/ Thomas S. Neuberger  
**THOMAS S. NEUBERGER, ESQ.**